

1 can be presented, and therefore are unable to effectively
2 present such a claim; and

3 WHEREAS, Defendants against whom the death penalty is not
4 pursued, or for whom the death penalty has been taken off the
5 table, do not have the resources available to adequately defend
6 themselves; therefore, be it

7 RESOLVED, BY THE SENATE OF THE NINETY-FIFTH GENERAL
8 ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES
9 CONCURRING HEREIN, that there is created the Illinois Justice
10 Study Committee, hereinafter referred to as the Committee,
11 consisting of 15 members, and appointed as follows:

12 (1) Three members appointed by the Governor, 2 of whom
13 shall be experienced in criminal law;

14 (2) Two members appointed by the President of the
15 Senate;

16 (3) Two members appointed by the Minority Leader of the
17 Senate;

18 (4) Two members appointed by the Speaker of the House
19 of Representatives;

20 (5) Two members appointed by the Minority Leader of the
21 House of Representatives;

22 (6) One member appointed by the Cook County State's
23 Attorney;

24 (7) One member appointed by the Office of the Cook

1 County Public Defender;

2 (8) One member appointed by the Office of the State
3 Appellate Defender; and

4 (9) One member appointed by the Office of the State's
5 Attorneys Appellate Prosecutor; and be it further

6 RESOLVED, That the appointed members shall be from diverse
7 backgrounds so as to reflect the diverse citizenry of Illinois;
8 and be it further

9 RESOLVED, That the Committee shall review all non-capital
10 wrongful felony conviction cases that have been resolved as of
11 the effective date of this resolution and which resulted from
12 DNA testing; a pardon granted on the basis of actual innocence;
13 and dismissal of charges or acquittals upon a retrial based on
14 relief granted by either the Illinois Appellate or Supreme
15 Courts, or the federal District, Court of Appeals, or United
16 States Supreme Court; and be it further

17 RESOLVED, That the Committee shall review any other
18 relevant material, identify the most common causes of wrongful
19 felony convictions in non-capital cases, identify current
20 laws, rules and procedures implicated in each type of
21 causation, and identify solutions through research, experts,
22 public hearing, and any other source the Committee deems
23 appropriate; and be it further

1 RESOLVED, That the Committee shall consider rules,
2 procedures, educational, and legislative reforms that can aid
3 in eliminating future wrongful felony convictions; and be it
4 further

5 RESOLVED, That the Committee may consider whether the State
6 of Illinois should put into place a procedure for addressing
7 claims of factual innocence prior to appellate review of a
8 conviction; and be it further

9 RESOLVED, That the Committee shall do a cost analysis of
10 wrongful convictions; and be it further

11 RESOLVED, That the Committee shall elicit voluntary
12 assistance from educational, legal, civic, and professional
13 organizations and institutions as well as notable individuals;
14 and be it further

15 RESOLVED, That the Committee shall submit its final report
16 to the Governor and the General Assembly on or before December
17 31, 2008.